

### **Amendment to the Claims**

This listing of claims replaces all previous versions and listings of claims in this application.

1. (currently amended) A smokeless tobacco product suitable for human consumption comprising a solid bit of powdered tobacco and from about 0.5 to about 15 wt% peppermint, ~~from about~~ from about 0.5 to about 15 wt% menthol, and from about 0.5 to about 15 wt% wintergreen, wherein said solid bit comprises from about 10 % to about 80 % powdered tobacco by weight.

2. (currently amended) The smokeless tobacco of claim 1 which comprises from about 0.5 to about 10 wt% peppermint, ~~from about~~ from about 0.5 to about 10 wt% menthol, and from about 1 to about 10 wt% wintergreen.

3. (currently amended) The smokeless tobacco of claim 2 which comprises from about 1 to about 5 wt% peppermint, ~~from about~~ from about 1 to about 5 wt% menthol, and from about 2 to about 5 wt% wintergreen.

4. (cancelled)

5. (previously presented) The smokeless tobacco product of claim 1 wherein said solid bit comprises from about 25 % to about 55 wt% powdered tobacco by weight.

6. (original) The smokeless tobacco product of claim 1 wherein said powdered tobacco has a collective content of N'-nitrosonornicotine (NNN), 4-(N-nitrosomethylamino)-1-(3-pyridyl)-1-butanone (NNK), N'-nitrosoanatabine (NAT) and N'-nitrosoanabasine (NAB) which is 0.3 µg/g or less.

7. (original) The smokeless tobacco product of claim 6 wherein said collective content is 0.2 µg/g or less.

8. (original) The smokeless tobacco product of claim 7 wherein said collective content is 0.1 µg/g or less.

9. (original) The smokeless tobacco product of claim 1 wherein the powdered tobacco consists essentially of Virginia flue cured tobacco.

10. (original) The smokeless tobacco product of claim 9 wherein said powdered tobacco comprises pulverized tobacco.

11. (currently amended) A smokeless tobacco product suitable for human consumption comprising a solid bit of powdered tobacco and from about 0.5 to about 15 wt% peppermint, ~~from about~~ from about 0.5 to about 15 wt% menthol, and from about 0.5 to about 15 wt% wintergreen, wherein said powdered tobacco is prepared from an extract of tobacco.

12. (previously presented) A smokeless tobacco product suitable for human consumption comprising a solid bit of powdered tobacco and from about 0.5 to about 15 wt% peppermint, from about 0.5 to about 15 wt% menthol, and from about 0.5 to about 15 wt% spearmint, wherein said solid bit comprises from about 10 % to about 80 % powdered tobacco by weight.

13. (currently amended) The smokeless tobacco of claim 12 which comprises from about 0.5 to about 10 wt% peppermint, ~~from about~~ from about 0.5 to about 10 wt% menthol, and from about 0.5 to about 10 wt% spearmint.

14. (currently amended) The smokeless tobacco of claim 13 which comprises from about 1 to about 5 wt% peppermint, ~~from about~~ from about 1 to about 5 wt% menthol, and from about 1 to about 5 wt% spearmint.

15. (cancelled)

16. (previously presented) The smokeless tobacco product of claim 12 wherein said solid bit comprises from about 25 % to about 55 wt% powdered tobacco by weight.

17. (original) The smokeless tobacco product of claim 12 wherein said powdered tobacco has a collective content of N'-nitrosonornicotine (NNN), 4-(N-nitrosomethylamino)-1-(3-pyridyl)-1-butanone (NNK), N'-nitrosoanatabine (NAT) and N'-nitrosoanabasine (NAB) which is 0.3 µg/g or less.

18. (original) The smokeless tobacco product of claim 17 wherein said collective content is 0.2 µg/g or less.

19. (original) The smokeless tobacco product of claim 18 wherein said collective content is 0.1 µg/g or less.

20. (original) The smokeless tobacco product of claim 12 wherein the powdered tobacco consists essentially of Virginia flue cured tobacco.

21. (original) The smokeless tobacco product of claim 20 wherein said powdered tobacco comprises pulverized tobacco.

22. (previously presented) A smokeless tobacco product suitable for human consumption comprising a solid bit of powdered tobacco and from about 0.5 to about 15 wt% peppermint, from about 0.5 to about 15 wt% menthol, and from about 0.5 to about 15 wt% spearmint, wherein said powdered tobacco is prepared from an extract of tobacco.